



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,170	01/31/2002	Maarten W. 't Hooft	Sun-P7270	2721

7590 06/03/2005

David B. Ritchie  
Thelen Reid & Priest LLP  
P.O. Box 640640  
San Jos, CA 95164-0640

EXAMINER

MASKULINSKI, MICHAEL C

ART UNIT	PAPER NUMBER
----------	--------------

2113

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/066,170

Applicant(s)

T HOOFT ET AL.

Examiner

Michael C. Maskulinski

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/11/02.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

**Non-Final Office Action**

***Priority***

1. In paragraph 0001, on page 2 of the Specification, the Examiner acknowledges the continuation-in-part and has amended the specification to refer to the parent Application 10/007,633.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
3. Claims 3, 7, 11, 15, and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 3, 7, 11, 15, and 19 recite the limitation "said first support host address" in the second line. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 101***

4. Claims 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 17 claims a recording medium on which a program is stored and variations thereof. These claims therefore are interpreted as recording a program per se. In order to overcome this rejection, language, specifically stating the claim, must be limited to a computer program stored on a computer recordable medium executing on a computer.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 4-6, 8-10, 12-14, 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Meier et al, U.S. Patent 6,058,393.

Referring to claims 1, 13, and 17:

- a. In column 2, lines 55-65, Meier et al. disclose that to locate a debugger, a toll locator mechanism is used. To locate a debugger, the tool locator can identify a machine and a port within a machine. Further, in column 16, lines 46-56, Meier et al. disclose a debugger client application program interface (requesting a bug submission service from a first support host using a Support Interface Module for communicating with said first support host).
- b. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction address and the debugger server arguments (said debug submission service having a list of data to be collected).
- c. In column 2, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine (a second support host return address).

d. In column 5, lines 63-65, Meier et al. disclose that the tool locator will return a session list which is a list of all debuggers that meet the search criteria requested (said first support host having a support services resource).

e. In column 5, lines 58-60, Meier et al. disclose that the tool locator returns a communication endpoint address of a desired debugger so that a connection can be established with the debugger (receiving said requested bug submission service from said first support host using said Support Interface Module).

f. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction address and the debugger server arguments (collecting data based on said list of data to be collected).

g. In column 2, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine (sending said collected data to said second support host return address using said Support Interface Module).

Referring to claims 2, 6, 10, 14, and 18, in column 5, lines 55-65, Meier et al. disclose that tool locator returns a session list, which is a list of all debuggers that meet the search criteria requested. Each debugger has a corresponding address (said support services resource further comprises a directory of support host addresses).

Referring to claims 4, 16, and 20, in column 8, lines 50-62, Meier et al. disclose a debugger client can then send a message to request debugging services for itself or for

Art Unit: 2113

another program running on the network. It does this by first sending a message to the tool locator to locate a debugger server specified by the debugger client. The tool locator will return the socket address of a debugger server that matches the debugger client's specification (receiving said debug submission service request by the support interface module). The debugger client then sends a "debugIt" message to the debugger server to request debugging service from the debugger server (establishing overall control of said bug submission service request process; generating at least one session for said bug submission service request; initializing communication control of said bug submission service request process). The debugger server will then attach a monitor/controller to the debugee (generating at least one transport for the at least one session; and transmitting and/or receiving data via the at least one transport).

Referring to claims 5 and 9:

- a. In column 2, lines 55-65, Meier et al. disclose that to locate a debugger, a toll locator mechanism is used. To locate a debugger, the tool locator can identify a machine and a port within a machine. Further, in column 16, lines 46-56, Meier et al. disclose a debugger client application program interface (a receiver for receiving a bug submission service using a Support Interface Module for communicating with a first support host).
- b. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction

address and the debugger server arguments (said debug submission service having a list of data to be collected).

c. In column 2, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine (a second support host return address).

d. In column 5, lines 63-65, Meier et al. disclose that the tool locator will return a session list which is a list of all debuggers that meet the search criteria requested (said first support host having a support services resource).

e. In column 17, lines 48-52, Meier et al. disclose that a debug it message to the debugger server includes all of the arguments of the debugit routine such as internet address, login ID, password, address-space ID, thread ID, instruction address and the debugger server arguments (a collector coupled to said receiver for collecting data based on said list of data to be collected).

f. In column 2, lines 55-65, Meier et al. disclose that to locate a debugger, the tool locator can identify a machine and a port within a machine (a sender coupled to said collector for sending said collected data to said second support host return address using said Support Interface Module).

Referring to claims 8 and 12, in column 8, lines 50-62, Meier et al. disclose a debugger client can then send a message to request debugging services for itself or for another program running on the network. It does this by first sending a message to the tool locator to locate a debugger server specified by the debugger client. The tool locator will return the socket address of a debugger server that matches the debugger

Art Unit: 2113

client's specification (a session handler for receiving a user request from a bug submission module and for controlling the activities of said Support Interface Module). The debugger client then sends a "debugIt" message to the debugger server to request debugging service from the debugger server (at least one session generated the session handler for processing said user request). The debugger server will then attach a monitor/controller to the debuggee (a transport handler initialized by said at least one session for managing communications with said first support host; and at least one transport generated by said transport handler for communication of said at least one session with said support services resource).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited is related to setting up remote debugging sessions to debug a client's program.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Maskulinski whose telephone number is (571) 272-3649. The examiner can normally be reached on Monday-Friday 9:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Art Unit: 2113

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MM

  
ROBERT BEAUSOLIEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100